

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and following remarks.

#### **Status of the Claims**

Claims 1 and 2 are pending in this application. Claim 1 is independent. Claims 1 and 2 have been rejected. By this Amendment, claim 1 is amended. Claim 2 is cancelled without prejudice or disclaimer. No new matter has been added by this Amendment.

#### **Rejection under 35 U.S.C. §112**

Claims 1 and 2 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

The Examiner indicates that “[t]he language ‘a light entering the reflecting means and a light exiting the reflecting means’ is not understood because light neither enters or exits reflecting means.”

Claim 1 has been amended as shown above to further clarify the language. Claim 2 has been cancelled as indicated above.

Reconsideration and withdrawal of the rejections of claim 1 under 35 U.S.C. §112, second paragraph, is respectfully requested.

**Rejection under 35 U.S.C. §102**

Claims 1 and 2 have been rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,612,753 to Poradish et al. ("Poradish").

The Examiner indicates among other things that Poradish discloses "a color filter (40) for sequentially passing colored lights and being disposed so that an axis of rotation of the filter is not parallel to an optical axis of light passing through the filter."

Claim 1 has been further rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,467,910 to Sato ("Sato").

The Examiner indicates among other things that Sato discloses "a color filter (36) for sequentially passing colored light."

Claim 1 has been amended for further clarification. In particular, claim 1 is amended to recites "wherein a rotation center of the rotative member of the color wheel is positioned within the ellipsoidal region of the ellipsoidal reflector, the axis of rotation of the rotative member is not parallel to the optical axis but is inclined at an angle other than a right angle to the optical axis, and the rotative member is positioned outside of a conical region formed by an edge and the second focus of the ellipsoidal region of the ellipsoidal reflector." Support for the amendment may be found, for example, in Figures 1, 4 and 5 along with relevant portions of the original specification.

In Poradish, the light source 10 is provided outside of the spherical reflector 46, not inside of the inner reflecting surface of the spherical reflector 46 as required by claim 1 as amended. Further, in Poradish, the color wheel 40 is to separate a light reflected from the spherical reflector 46 and the mirror 26 is to reflect a light emitted from the color wheel 40. In contrast, the color wheel of the present invention is provided for separating a white light reflected from a reflecting means into different colors.

In Sato, the rotation center of the color wheel 36 is positioned outside of the ellipsoidal region and the axis of rotation of the color wheel 36 is perpendicular to the optical axis. In contrast, a rotation center of a rotative member of the present invention is positioned within an ellipsoidal region and an axis of rotation of the rotative member is not parallel to an optical axis but is inclined at an angle other than a right angle to the optical axis.

Accordingly, claim 1 is neither anticipated by nor rendered obvious in view of Poradish and Sato, taken either alone or in combination, for at least the reasons discussed above.

Reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. §102 is respectfully requested.

Applicant believes that the application is in condition for allowance and such action is respectfully requested.

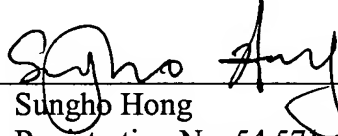
**AUTHORIZATION**

A petition for a one-month extension of time along with the associated fee is enclosed, extending the date for responding until May 15, 2004. Should an additional extension of time be required to render this paper timely filed, such extension is hereby petitioned and the Commissioner is authorized to charge any other fees necessitated by this Amendment, or credit any overpayment to our Deposit Account No. 13-4500 (Order No. 1232-5099). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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Dated: May 3, 2004

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